

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFREY SCOTT HERNDON,)
)
 Petitioner,) Case No. 3:08-1102
 v.) (Crim. Case No. 3:04-00199)
) Judge Echols
UNITED STATES OF AMERICA,)
)
 Respondent.)

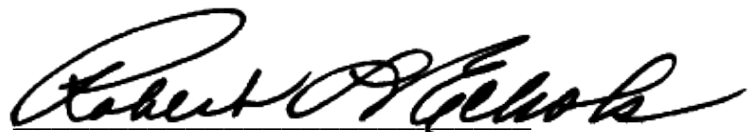
ORDER

For the reasons set forth in the Memorandum entered contemporaneously herewith, Petitioner's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket Entry No. 1) is hereby DENIED.

Because Petitioner cannot demonstrate that reasonable jurists would find the Court's assessment of the voluntariness of his plea of guilty debatable or wrong, or that jurists of reason would find it debatable whether Petitioner can show ineffectiveness of counsel and prejudice from counsel's alleged deficiencies, a Certificate of Appealability will not issue. See Slack v. McDaniel, 529 U.S. 473, 483-84 (2000).

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is SO ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE